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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BRIAN SCIARA,

Plaintiff,

v.

STEPHEN CAMPBELL,

Defendant.

AND ALL RELATED MATTERS.

Lead/Base Case No.:
2:18-cv-01700-DJA

Consolidated Case No.:
2:21-cv-00309

**STIPULATION AND ~~PROPOSED~~
ORDER TO EXTEND BRIEFING
SCHEDULE RELATING TO FORENSIC
EXAMINATION**

STEPHEN CAMPBELL (“Campbell”) and SPROUT FINANCIAL, LLC (“Sprout”), together with BRIAN SCIARA (“Sciara”), CAPFUND ENTERPRISES, INC. D/B/A CAPFUND FINANCIAL (“CapFund”), and FUNDED LLC (“Funded”) (collectively, as the “Parties”), by and through their respective counsel of record, the law firms of HOLLAND & HART LLP and MORTENSON & RAFIE, LLP, hereby stipulate and agree (the “Stipulation”) to a fourteen (14)-day extension of the current April 25, 2022 deadline for Campbell to reassert and file his motion for sanctions (*see* ECF No. 158) in connection with the forensic examination of Sciara’s devices/ESI (ECF No. 124) as follows:

1. On November 23, 2021, the Court held a status check hearing regarding the forensic examination of Sciara’s electronic devices and ordered Sciara’s portion of the forensic

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1 examination due by January 7, 2022 based on representations by Sciara's then-counsel. (*See* ECF
2 No. 141).

3 2. Due to the withdrawal of Sciara's prior counsel (Sgro Roger) (ECF No. 145),
4 Sciara's forensic examination deadline was extended to March 10, 2022 (ECF No. 149), then to
5 March 24, 2022 (ECF No. 157) after Sciara, CapFund, and Funded obtained new counsel
6 (Mortenson & Rafie, LLP) (ECF Nos. 150, 151).

7 3. Thereafter, on March 21, 2022, the Court denied Campbell's Motion for
8 Sanctions (ECF No. 97) without prejudice and granted leave for Campbell to reassert his motion
9 on or before April 25, 2022, in lieu of supplemental briefing. (ECF No. 158).

10 4. The Parties are currently exploring and discussing potential resolution of both
11 cases, as well as a potential extension of pending deadlines so as to allow the Parties to focus on
12 settlement efforts and to facilitate the settlement process.

13 5. The Parties stipulate and agree to extend the current April 25, 2022 deadline for
14 Campbell to reassert and file his motion for sanctions relating to the forensic examination by
15 fourteen (14) days to **May 9, 2022** (with responses and replies due in ordinary course thereafter).

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6. This Stipulation is made in good faith, not for purposes of undue delay, and supported by good cause.

IT IS SO STIPULATED.

DATED this 22 day of April 2022.

HOLLAND & HART LLP

/s/ Jenapher Lin

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Sciara*

IT IS SO ORDERED:



DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE

DATED: April 25, 2022

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CERTIFICATE OF SERVICE

Pursuant to Fed. R. Civ. P. 5(b), I hereby certify that on the 22nd day of April 2022, I served a true and correct copy of the foregoing **STIPULATION AND [PROPOSED] ORDER TO EXTEND BRIEFING SCHEDULE RELATING TO FORENSIC EXAMINATION** as follows:

☒ Filed electronically via the Court's CM/ECF system and notice of filing will be served on all parties by operation of the Court's CM/ECF filing system, and parties may access this filing through the Court's CM/ECF system.

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